

63rd Legislature

SB0190.01

## SENATE BILL NO. 190

INTRODUCED BY J. SONJU

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN CANCELED DEALER CONTRACT REPURCHASE REQUIREMENTS; AMENDING SECTION 30-11-705, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 30-11-705, MCA, is amended to read:

**"30-11-705. Reimbursement for or repurchase of signs, special equipment, and special tools.**

(1) Upon the termination, cancellation, nonrenewal, or refusal to continue a dealership contract by a wholesaler,

manufacturer, ~~or or distributor, or retailer,~~ the wholesaler, manufacturer, or distributor shall pay the retailer:

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(1) the original cost, adjusted for the remaining useful life, of each sign owned by the retailer that bears a common name, trade name, or trademark of the wholesaler, manufacturer, or distributor; if the acquisition of the sign was recommended or required by the wholesaler, manufacturer, or distributor;

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(2) ~~Upon the termination, cancellation, nonrenewal, or refusal to continue a dealership contract by a wholesaler, manufacturer, distributor, or retailer, the wholesaler, manufacturer, or distributor shall pay the retailer:~~ (a) the original cost, adjusted for the remaining useful life, of all special equipment and special tools

purchased or leased by the retailer ~~less than twelve months prior to the termination, cancellation, nonrenewal, or refusal to continue a dealership, and~~ that were acquired from the wholesaler, manufacturer, or distributor or sources approved by the wholesaler, manufacturer, or distributor and that were recommended or required by the wholesaler, manufacturer, or distributor; or

(b) if the special equipment has a service agreement or the special tools are leased by the retailer, the amounts that are required to terminate the service agreement or the lease under the terms of the service or lease agreement; and

(3) ~~The wholesaler, manufacturer, or distributor shall pay the retailer~~ the cost of transporting, handling, packing, and loading the signs, special equipment, and special tools."

**NEW SECTION. Section 2. Effective date.** [This act] is effective on passage and approval.

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